

ORDINANCE NO. 20060622-065

AN ORDINANCE GRANTING A WAIVER FOR PROPERTY LOCATED AT 1306 CHICON STREET FROM CERTAIN DEVELOPMENT REGULATIONS PRESCRIBED BY ORDINANCE NO. 20060309-058 TO ALLOW CONSTRUCTION OF A DUPLEX RESIDENCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. This ordinance applies to the construction of a duplex residence on property located at 1306 Chicon Street. The two story structure will have a floor area of 3,376 square feet.

PART 2. Applicant has filed a waiver application requesting that Council waive Part 4(B) of Ordinance No. 20060309-058 which limits a building permit for the size of a new structure to the greater of the following:

- (1) 0.4 to 1 floor-to-area ratio;
- (2) 2,500 square feet; or

PART 3. Applicant has also requested that Council waive Part 5(D)(2) of Ordinance No. 20060309-058 which prescribes minimum and maximum front yard setbacks for a lot on a block face on which one lot is developed for a use described in subsection (B):

- (a) the minimum front yard setback is the same as the minimum front yard setback of the principal structure on the developed lot; and
- (b) the maximum front yard setback is equal to the minimum front yard setback of the principal structure on the developed lot plus ten percent of the distance of that setback.

PART 4. Council has considered the factors for granting a waiver from development regulations prescribed by Ordinance No. 20060309-058. Council finds that such a waiver is justified because:

- (A) the development limitation imposes undue hardship on the applicant; and
- (B) the development proposed by the applicant will not adversely affect the public health, safety, and welfare.

PART 5. A waiver is granted from Part 4(D) and Part 5(D)(2) of Ordinance 20060309-058 to allow the construction of a duplex residence located at 1306 Chicon Street, for a total structure size not to exceed 3,376 square feet and with a front yard setback of no less than 15 feet 2 ½ inches.

PART 5. This ordinance takes effect on July 3, 2006.

PASSED AND APPROVED

_____ June 22 _____, 2006

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Will Wynn
Will Wynn
Mayor

APPROVED:

David Allan Smith
David Allan Smith
City Attorney

ATTEST:

Shirley A. Gentry
Shirley A. Gentry
City Clerk